

Analysis of Impediments

(also referred to as “The Guide”)

(also referred to as “Analysis of Impediments to Fair Housing Choice”)



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ADECA CDBG Grant Checklist for FHEO Grantee Minimum Compliance Requirements

Items 1-3 are the subject of today's presentation.

See FHEO Handout 7 for information on Items 4-8; they are outside the scope of today's presentation. Call or email your ADECA Program Supervisor or the ADECA Civil Rights staff if you have questions.

1. LCC Item 4: Designate an Equal Opportunity Official
2. LCC Item 9: Complete a local "Analysis of Impediments to Fair Housing Choice"
3. LCC Item 10: Complete Civil Rights Compliance Questionnaire with attachments. Complete Language Assistance Plan if required.
4. Addressed in LCC Item 10: Maintain local government employment records.
5. Addressed in LCC Item 10: Meet Section 504 Handicapped (Disability) Requirements
6. Comply with Federal Fair Housing requirements.
7. Meet Equal Opportunity Contracting requirements. Contracts are reported on Form 2516 **(2013 Change-Report the CDBG amount for all contracts with CDBG participation each year).**
8. Refer any Civil Rights complaints appropriately.

DESIGNATION OF RESPONSIBLE OFFICIALS FOR CDBG

Locality _____ Project Number _____

All general CDBG correspondence will be mailed to the Mayor/Chairperson at the community's official address. Please provide an email address for the Mayor/Chairperson if one is available or any special mailing instructions. Also, if correspondence is to be copied to a project management person, please complete the appropriate information below.

MAYOR/CHAIRPERSON

Name _____
Address _____
City/State/Zip _____
Telephone Number _____
E-Mail Address _____

CDBG MANAGEMENT PERSON

Name _____
Address _____
City/State/Zip _____
Telephone Number _____
E-Mail Address _____

DESIGNATION OF EQUAL OPPORTUNITY OFFICER

Name _____
Address _____
City/State/Zip _____
Telephone Number _____
E-Mail Address _____

DESIGNATION OF LABOR STANDARDS OFFICER

Name _____
Address _____
City/State/Zip _____
Telephone Number _____
E-Mail Address _____

Signed _____
Mayor/Chairman

Revised 10/08

EEO
Officer
(Contact
person)



LCC Item 4

Alabama's Current Analysis of Impediments

Listed as “State of Alabama Analysis of Impediments” at: <http://adeca.alabama.gov/Divisions/ced/cdp/CDBG%20Documents/CP%202010-2014%20Attachment%20K%20Analysis%20of%20Impediments.doc>

Included in “2010-2014 5-Year Consolidated Plan” as Attachment K at: <http://www.adeca.alabama.gov/Divisions/ced/cdp/CDBG%20Documents/CP%202010-2014%20Attachment%20K%20Analysis%20of%20Impediments.doc>

How does ADECA use the AI Information provided by localities?

- It is summarized in the yearly *CAPER*.
- It assists in the periodic updates to the State of Alabama's *Analysis of Impediments*.

STATE OF ALABAMA ANALYSIS OF IMPEDIMENTS

Revised November 2009
Alabama Department of Economic and Community Affairs

Suggested Assessment/Guide for Community Analysis of Impediments

(also referred to as “The Guide”)

(also referred to as “Analysis of Impediments to Fair Housing Choice”)

No 2013 changes are planned, unless new Federal guidance is provided.

ADECA recommends that the Grant Administrator and Community Leaders work together to prepare “The Guide” or Analysis of Impediments.



**Suggested Assessment/
Guide for Community Analysis of Impediments**

Community Name: _____

Date: _____ ADECA Reviewer _____

- I. **Needs Assessment: Identification of Impediments/Problems Related to Fair Housing Choice:** Briefly list information on relevant public policies, i.e., local zoning regulations, school districts, subdivision regulations, building codes/code enforcement, realtor and financial institution lending practices, etc. *Use additional pages as necessary.*

Cities and Towns Only:

- A1. Are minorities totally absent as residents of your community?
☐ Yes ☐ No Please explain: _____

- A2. Do all or most of the minorities in your community live in one neighborhood? ☐ Yes ☐ No Please explain: _____

- A3. Are all or most of the minorities in your community restricted to certain neighborhoods? ☐ Yes ☐ No Please explain: _____

- A4. Do minorities work in your community but live elsewhere?
☐ Yes ☐ No Please explain: _____

- A5. Are realtors/leasing agents hesitant to show minorities rental or ownership units in certain areas of the community?
☐ Yes ☐ No Please explain: _____

- A6. Are realtors/leasing agents hesitant to show minorities rental or ownership units in certain apartment complexes, condominiums, or subdivisions?
☐ Yes ☐ No Please explain: _____

- A7. Do local banks/credit unions consistently refuse to provide mortgage or home improvement loans in certain areas of the community?
☐ Yes ☐ No Please explain: _____

In 2010, the *Guide* was revised to ask more specific questions. Remember to include an explanation for each yes or no answer.

Section A
applies to Cities and Towns only.

LCC Item 10

In 2010, the *Guide* was revised to ask more specific questions. Remember to include an explanation for each yes or no answer.

Section B
*applies to
Counties only.*

Section C
*applies
to All Grantees.*

- A8. Is home/renter insurance difficult to obtain in certain areas of the community? ☐ Yes ☐ No Please explain: _____
- A9. Is public assisted or subsidized housing available in your community? ☐ Yes ☐ No If yes, list types and number of public assisted or subsidized housing available (for example, public housing authority units, Section 8, etc.): _____

Counties Only:

- B1. Are all or most of the minorities in your county concentrated in certain communities? ☐ Yes ☐ No Please explain: _____
- B2. Are realtors/leasing agents hesitant to show minorities rental or ownership units in certain areas of the county? ☐ Yes ☐ No Please explain: _____
- B3. Do local banks/credit unions consistently refuse to provide mortgage or home improvement loans in certain county communities? ☐ Yes ☐ No Please explain: _____
- B4. Is home/renter insurance difficult to obtain in certain county communities? ☐ Yes ☐ No Please explain: _____
- B5. Is public assisted or subsidized housing available in any areas of your county? ☐ Yes ☐ No If yes, list types, number, and community of public assisted or subsidized housing available (for example, public housing authority units, Section 8, etc.): _____

All Cities, Towns, and Counties:

- C1. Is your community or county growing in population? ☐ Yes ☐ No Please explain: _____
- C2. Has your community or county added a significant number of new single family or multi-family residential units within the last five (5) years? ☐ Yes ☐ No Please explain: _____

Items C1-C2 were introduced in 2010. They request information on population and housing unit growth. Please use 2010 Census data if available.

New in 2010:
Items C3-C6
address zoning
and similar
regulations.

ADECA has a
*Sample Fair
Housing Resolution*
in “CDBG Current
Forms and Sample
Documents”



- C3. Does the community or county have zoning or similar regulations?
☐ Yes Date Adopted: _____ ☐ No
- C4. Does the community or county have housing code regulations?
☐ Yes Date Adopted: _____ ☐ No
- C5. Does the community or county have subdivision regulations?
☐ Yes Date Adopted: _____ ☐ No
- C6. If yes to C3, C4, or C5, are these regulations being enforced?
☐ Yes ☐ No Please explain: _____

- C7. If you answered yes to C3, does the community's or county's zoning policy hinder multi-family construction, construction of low income family housing, or prohibit mobile homes? ☐ Yes ☐ No
Please explain: _____

- C8. Does the community's or county's school district discourage or prohibit minorities from buying and living outside of predominantly minority areas?
☐ Yes ☐ No Please explain: _____
- C9. Has the local governing body adopted a *Fair Housing Resolution*?
☐ Yes ☐ No Date Adopted: _____
- C10. Has the local governing body adopted a *Fair Housing Ordinance*?
☐ Yes ☐ No Date Adopted: _____
- C11. Does your community or county assist people who believe they have encountered housing discrimination? ☐ Yes ☐ No
Please explain: _____
- C12. Does your community or county assist people who believe they have been denied an opportunity at Fair Housing Choice? ☐ Yes ☐ No
Please explain: _____
- C13. Have there been any fair housing complaints, violations, or judicial actions initiated against your community or county within the past five years?
☐ Yes ☐ No If yes, briefly describe the complaints, violations, or judicial actions and the current status. _____

Added in 2010:

Please tell us the Information Sources you used in preparing this Guide.

C14. Has the community or county received a CDBG grant in the last five (5) years? ☐ Yes ☐ No If yes, were any conditions placed on your community's or county's last CDBG grant by ADECA or HUD because of a failure to comply with Fair Housing? ☐ Yes ☐ No If yes, please explain: _____

II. **Proposed Changes:** If any impediments or barriers to fair housing in the community or county were identified in *Item 1: Needs Assessment: Identification of Impediments /Problems Related to Fair Housing Choice*, list the proposed changes necessary to correct the identified problems. *Attach separate page(s) to describe this.*

III. **Correction Details:** For each impediment or barrier to fair housing in the community or county identified in *Item 1: Needs Assessment: Identification of Impediments /Problems Related to Fair Housing Choice* and described in Item II, develop a schedule or timetable for the correction of the impediment or barrier which should include:

1. A specific schedule of corrective actions;
2. A mechanism for updating the analysis periodically;
3. Assurances that the schedule of actions will be implemented regardless of any changes in the community's administration; and
4. Commitment from local officials for carrying out the schedule of actions (i.e., signature of chief elected official, adoption by local governmental unit, etc.)

Information Sources (check all that apply):

- ☐ Internet searches
- ☐ Phone interviews
- ☐ In-person interviews
- ☐ Public meeting(s). List locations and dates: _____
- ☐ Surveys. Describe: _____
- ☐ Other. Describe: _____



2013: No changes are planned to the *Suggested Implementation Action Steps*. See Item 8 for ADECA requirement.

Suggested Implementation Action Steps

Fair Housing implementation action steps will vary by community or county depending on the responses to *Item 1: Needs Assessment: Identification of Impediments/ Problems Related to Fair Housing Choice*.

The following are actions which may be appropriate in overcoming identified barriers to Fair Housing Choice in Community Development Block Grant communities. The following is only a suggested list of actions and the community should use these suggestions, as necessary, to best serve its needs:

1. **Adopt Fair Housing Ordinance:** Promote efforts to enact a local fair housing ordinance which is substantially equivalent to the Federal Fair Housing Law and preferably one with enforcement mechanisms and penalties.
2. **Housing Authority Housing:** Promote the revision of the local housing authority's formal and informal policies and practices so that public housing units are not assigned to cause or perpetuate racially or ethnically separate treatment of housing opportunities.
3. **Section 8 Housing:** Review/revise the formal and informal policies and procedures guiding the operation of the Section 8 existing program to ensure that race or ethnicity is not an eligibility criterion for the program and/or some units participating in the program.
4. **New Assisted Housing:** Work with developers and residents to ensure new assisted housing is located outside areas of minority or low-income concentrations.
5. **Zoning Review:** Review local zoning laws and the impact of existing zoning on multi-family and/or less expensive single family construction; modify zoning laws to permit or facilitate such construction.
6. **CDBG Housing Rehabilitation:** Review the CDBG rehabilitation program to ensure it serves very low-income minority residents as well as low and moderate income minorities and non-minorities.
7. **Local Capital Improvement Practices:** Review local practices with respect to the capital improvements program and general revenue projects to ensure CDBG funds are not being used in place of, rather than to supplement, these programs in minority areas.

2010 Change to Item 8-
Added language on
promoting the fair housing
poster and/or brochures,
and using the “Equal
Housing Opportunity”
slogan and logo.

Increasing community
awareness of Federal Fair
Housing requirements is
an ADECA CDBG grant
requirement (see Part C
of the *Civil Rights
Compliance
Questionnaire*).



8. **Public Information:** Develop and promote a public information program using local newspapers, radio stations, bulletin boards, utility bill mailings, website, etc., to ensure that all segments of the community are aware of fair housing requirements, especially realtors, landlords, financial institutions, and the minority community. Display fair housing poster and/or brochures in public buildings and use the “Equal Housing Opportunity” slogan and logo in the classified ad section of local newspapers.
9. **Fair Housing Assistance Program:** Develop and promote a fair housing assistance program to make housing opportunities in non-minority areas known to minorities, to monitor compliance, and to pursue discrimination complaints.
10. **CRA (Larger Communities):** Meet with local financial institutions serving the community to discuss the implications of the “Community Reinvestment Act” (CRA) and the need to broaden lending practices to all geographic locations and to support community revitalization.
11. **Monitor Fair Housing:** Develop a monitoring procedure for compliance with Federal, State, and local fair housing laws.
12. **Community-Based Organization:** Promote and/or advocate for the development of a fair housing committee, community relations committee, weed and seed committee, neighborhood watch, or similar organization in the local community.
13. **Fair Housing Events:** Sponsor fair housing poster contests, speech contests, writing contests, or similar events in schools during National Fair Housing Month (April of each year).
14. **Fair Housing Exhibits:** Display fair housing exhibits at local shopping malls, fairs, exhibitions, etc.
15. **Affirmative Marketing to Target Groups:** Encourage local real estate industry groups to participate in voluntary affirmative marketing agreement programs or VAMAs (primarily found in large cities) whenever possible.

Signature of Mayor/Chairman

Date



ADECA Focus Area

Focus Area-

ADECA has set a goal of encouraging local communities and counties to increase citizen awareness of *equal housing opportunity* and to promote fair housing.

Fair Housing Poster Contest (optional Item 13)



Fair Housing Exhibit (optional Item 14)



EEOC Posters at
the job site of a
Senior Center
Construction
Project-Town of
Columbia's 2011
CDBG Grant





**EQUAL HOUSING
OPPORTUNITY**

**We Do Business in Accordance With the Federal Fair
Housing Law**

(The Fair Housing Amendments Act of 1988)

**HUD's Fair
Housing Poster:**

http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_7802.pdf

**It is illegal to Discriminate Against Any Person
Because of Race, Color, Religion, Sex,
Handicap, Familial Status, or National Origin**

- | | |
|--|--|
| ■ In the sale or rental of housing or residential lots | ■ In the provision of real estate brokerage services |
| ■ In advertising the sale or rental of housing | ■ In the appraisal of housing |
| ■ In the financing of housing | ■ Blockbusting is also illegal |

Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination:

1-800-669-9777 (Toll Free)
1-800-927-9275 (TTY)

U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410

Fair Housing, Equal Opportunity, and Civil Rights Compliance Questionnaire

(Civil Rights Compliance Questionnaire)



Jobs at Locality/County



Accessibility



Fair Housing

This Form is also referred to as the

**Civil Rights
Compliance
Questionnaire.**

**2013: No
changes are
planned.**

FHEO LCC documents are located on ADECA's website in *Current Forms and Sample Documents*:
<http://www.adeca.alabama.gov/Divisions/ced/cdp/Pages/CDBG-Current-Forms-and-Sample-Documents.aspx>

LCC Item 10

LETTER OF CONDITIONAL COMMITMENT
FAIR HOUSING, EQUAL OPPORTUNITY, and CIVIL RIGHTS
COMPLIANCE QUESTIONNAIRE

Grantee Name _____

Project No. _____

PART A: EQUAL EMPLOYMENT OPPORTUNITY

1. Are written employment and personnel policies utilized with regard to hiring, promotion, and compensation? Yes _____ No _____

(a) If yes, please indicate the date Personnel Policies were adopted _____.

(b) If no, for a community with 15 or more employees, written employment and personnel policies must be adopted and documentation provided to ADECA during monitoring of the project.

2. How are Equal Opportunity guidelines followed in advertising vacancies?

3. The grantee maintains personnel records sufficiently detailed to assess staff composition by sex and race? Yes _____ No _____

Total Employment	_____	White	_____
Minority	_____	Male	_____
Female	_____		

4. Have any employment discrimination complaints been filed against the recipient within the past year? Yes _____ No _____

If yes, explain _____

PART B: SECTION 504 HANDICAPPED REQUIREMENTS

1. The grantee has developed a written self-evaluation to assess its current efforts to comply with all applicable Section 504 requirements? Yes _____ No _____
Date Plan was adopted _____



Part B: Addresses the accessibility of meetings for the hearing-impaired and physical access to public buildings.



Display Fair Housing posters, and/or brochures



Use the Equal Housing Opportunity slogan and logo



2. Detail how the recipient communicates with project beneficiaries and/or members of the general public with hearing impairments.

3. The grantee's public buildings and facilities (parking areas, entrances, interior doorways, bathroom fixtures, water fountains, elevators, etc.) are easily accessible to the disabled? Yes _____ No _____

If not, the recipient government has a written transition plan outlining a schedule of corrective actions that will be undertaken to make all its buildings and facilities accessible to the disabled? Yes _____ No _____

4. Does the grantee have 15 or more employees (full or part-time)?
 Yes _____ No _____ If yes:
 - a. The grantee has designated a person to coordinate local government compliance with Section 504 requirements? Yes _____ No _____
 Name/Title _____
 - b. The grantee has adopted a grievance procedure to provide for the prompt and equitable resolution of any complaints made by disabled individuals concerning compliance with Section 504 mandates?
 Yes _____ No _____ Date Adopted _____
 - c. The grantee does notify beneficiaries, employees and the general public (posted notices, newspaper ads, office memoranda, etc.) that the grantee does not discriminate against the disabled in its federally assisted programs and activities? Yes _____ No _____

5. The grantee's hiring and promotion practices prohibit discrimination against otherwise qualified handicapped individuals (not a separate policy)?
 Yes _____ No _____

PART C: FAIR HOUSING

1. The grantee does participate in one or more of the following activities to increase Community awareness of Federal Fair Housing requirements?
 - a. Display Fair Housing posters and/or brochures in public buildings.
 Yes _____ No _____
 - b. Use the "Equal Housing Opportunity" slogan and logo in the classified ad section of local newspaper? Yes _____ No _____



ADECA Focus Area:
C.1.a. and C.1.b.
are Minimum Fair Housing Activities (choose one or both).

2009 Update: Hispanic is currently identified as an “ethnicity”.

Is a Language Assistance Plan required?

ADECA has a Sample Language Access Plan in “CDBG Current Forms and Sample Documents”

2. What is the racial/ethnic composition of the grantee’s population?

➔ Hispanic _____ (Ethnicity)
Black _____ (Race)
White _____
Other _____

➔ **PART D: ACCESSIBILITY OF PROGRAM INFORMATION**

1. How does the grantee ensure program information is accessible to persons with disabilities and to speakers with limited English Proficiency?

a. Detail how the recipient communicates with project beneficiaries and/or members of the general public with disabilities.

b. The grantee has conducted a Four-Factor Analysis consistent with the guidelines in the ADECA Language Assistance Plan (contact ADECA program supervisor for assistance)?

Yes ____ No ____

Did the Four-Factor Analysis reveal any threshold populations of Limited English Proficiency Persons (contact ADECA program supervisor for threshold guidance)?

Yes ____ No ____

If yes, detail how the grantee communicates with project beneficiaries and/or members of the general public with limited English proficiency.

I certify that to the best of my knowledge the above information is accurate and the identified documents are on file at the City Hall/County Courthouse. I understand all documents may be reviewed at project monitoring.

Mayor/Chairman

Date

ADECA Reviewer

United States
Census
2010 

Use 2010 Census data if available.